

NOTICE AND AGENDA

SUNNYVALE CITY COUNCIL
TUESDAY, MARCH 24, 2009
COUNCIL CHAMBERS, 456 W. OLIVE AVE.
SUNNYVALE, CALIFORNIA

6:00 P.M. SPECIAL COUNCIL MEETING (Study Session)

City Council Study Session

1. Call to Order in the West Conference Room (Open to the Public)
2. Roll Call
3. Convene to Study Session: **California High Speed Rail Project**
Staff Contact: Jack Witthaus, (408) 730-7330
4. Public Comment
5. Adjourn Special Meeting

7 P.M. COUNCIL MEETING

Pursuant to Council Policy, City Council will not begin consideration of any agenda item after 11:30 p.m. without a vote. At approximately 9:30 p.m., Council will make an announcement indicating that items may not be heard after 11:30 p.m. Any item on the agenda which must be continued due to the late hour shall be continued to a date certain. Information provided herein is subject to change from date of printing of the agenda to the date of the meeting.

CALL TO ORDER

SALUTE TO THE FLAG

ROLL CALL

SPECIAL ORDER OF THE DAY – Lakewood Color Guard Leading Pledge of Allegiance

PUBLIC ANNOUNCEMENTS

Each speaker is limited to three minutes for announcements of community events, programs, or recognition.

CONSENT CALENDAR

- | | | |
|------|--------|--|
| 1.A. | MOTION | Approval of Council Meeting Minutes of January 6, 2009 |
| 1.B. | MOTION | Approval of Council Meeting Minutes of January 13, 2009 |
| 1.C. | MOTION | Approval of Study/Budget Issues Workshop Minutes of January 23, 2009 |
| 1.D. | MOTION | Approval of Information/Action Items – Council Directions to Staff |

Any agenda related writings or documents distributed to members of the City of Sunnyvale City Council regarding any open session item on this agenda will be made available for public inspection in the Office of the City Clerk located at 603 All America Way, Sunnyvale, CA. during normal business hours and in the Council Chambers on the evening of the Council Meeting, pursuant to Government Code §54957.5.

Fiscal Items

- 1.E. MOTION List of Claims and Bills Approved for Payment by the City Manager - List
RTC 09-076 Nos. 444 & 445

Staff Recommendation: Council reviews the attached lists of bills.

Staff Contact: Peter Gonda, (408) 730-7385

Contracts

- 1.F. MOTION Award of a Contract for an Automated Fuel Management System
RTC 09-082 (F0812-47) and Approval of Budget Modification No. 31

Staff Recommendation: Council awards a contract, in substantially the same form as the attached draft and in the amount of \$100,373, excluding applicable taxes, to MSI Fuel Management, Inc. to provide and install an automated fuel management system; approves a project contingency in the amount of \$5,019; and approves Budget Modification No. 31.

Staff Contact: Peter Gonda, (408) 730-7418

Other

- 1.G. RESOLUTION Approval of Resolution to Apply for an Infill Infrastructure Grant from the
MOTION State of California Department of Housing and Community Development
RTC 09-079 for \$6,660,640

Staff Recommendation: Alternative No.1 – Council approves a Resolution and authorizes staff to apply, as a co-applicant with MPHCC, for the Infill Infrastructure Grant (IIG) for infrastructure improvements for \$6,660,640 for the Fair Oaks Senior Housing Project.

Staff Contact: Ernie DeFrenchi, (408) 730-2784

- 1.H. MOTION Ratification of Council Intergovernmental Committee Appointments
RTC 09-075

Staff Recommendation: Alternative No.1: Council ratifies the re-appointments of Mayor Spitaleri to the National League of Cities Public Safety and Crime Prevention Policy and Advocacy Committee, and Vice Mayor Moylan to the National League of Cities Transportation, Infrastructure and Services Policy and Advocacy Committee.

Staff Contact: Yvette Blackford, (408) 730-7536

STAFF RESPONSES TO PRIOR PUBLIC COMMENTS

Staff may provide further information or clarification for the community's benefit in response to public comments made at previous Council meetings. Staff will not necessarily respond to all public comments.

PUBLIC COMMENTS

*This category is limited to 15 minutes (may be extended or continued after the public hearings/general business section of the agenda at the discretion of the mayor) with a **maximum of three minutes per speaker**. If your subject is **not** on this evening's agenda you will be recognized at this time; however, the Brown Act (Open Meeting Law) does not allow action by Councilmembers. If you wish to address the Council, please complete a speaker card and give it to the City Clerk. Individuals are limited to one appearance during this section.*

PUBLIC HEARINGS/GENERAL BUSINESS

*If you wish to speak to a public hearings/general business item, please fill out a speaker card and give it to the city clerk. You will be recognized at the time the item is being considered by Council. **Each speaker is limited to a maximum of three minutes. For land-use items, applicants are limited to a maximum of 10 minutes for opening comments and 10 minutes for closing comments.***

2. COUNCIL DISCUSSION Council discussion of public meetings related to pending application from the Palo Alto Medical Foundation (PAMF) for their property on Old San Francisco Road

Staff Contact: Trudi Ryan, (408) 730-7435

3. MOTION 2008-0860 – Adopting Taafe-Frances Design Guidelines (Study Issue)
RTC 09-080

Staff Recommendation: Alternatives No.1, No.5 and No. 7 – Council adopts updated guidelines for the Taafe-Frances Heritage Housing District; provides all homeowners information on where a copy can be obtained, and directs staff to address the street trees as part of the Urban Forestry Management Plan.

Staff Contact: Mariya Hodge, (408) 730-7659

4. ORDINANCE 2007-0346 – Amendment to Title 19 to Implement the Citywide Green
RESOLUTION Building Policies and Budget Supplement
MOTION
RTC 09-081

Staff Recommendation: Alternative No.1 – Council Introduces an ordinance with green building requirements effective January 2010; adopts a resolution for phase 1 green building standards; approves a motion to remove Council Policy 1.1.9 effective January 1, 2010; and adopts a resolution amending the Moffett Park Specific Plan effective January 1, 2010

Staff Contact: Andrew Miner, (408) 730-7707

5. MOTION 2008-1119 - AT&T Mobility [Applicant] Roman Catholic Welfare Corp of
RTC 09-073 San Jose [Owner]: Appeal by a neighbor of the decision by the Planning Commission approving a Use Permit for a new tree pole with six panel antennas, two future microwave dish antennas and ancillary ground equipment. The property is located at 1399 Hollenbeck Avenue (at Cascade Dr.) in a P-F (Public Facilities) Zoning District

Staff Recommendation: Alternative No.2 – Council denies the appeal and upholds decision of the Planning Commission approving the Use Permit with the attached conditions.

Staff Contact: Ryan Kuchenig, (408) 730-7431

6. RESOLUTION Approve Downtown Sunnyvale Business Improvement District Annual
MOTION Report for FY 2008/2009 and Adoption of the Resolution of Intention to
RTC 09-074 Reauthorize the Downtown Sunnyvale Business Improvement District for
FY 2009/2010

Staff Recommendation: Alternative No.1 – Council approves the BID Annual Report for FY 2008/2009 and adopts the Resolution of Intention and schedules a public hearing for April 21, 2009 to reauthorize the Business Improvement District for FY 2009/2010 for Downtown Sunnyvale.

Staff Contact: Connie Verceles, (408) 730-7256

COUNCILMEMBER REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

- Council
- Staff

INFORMATION ONLY REPORTS/ITEMS

- Tentative Council Meeting Agenda Calendar
- Draft Minutes of Housing and Human Services Commission Meeting of February 12, 2009
- Draft Minutes of Bicycle and Pedestrian Advisory Commission Meeting of February 19, 2009
- Minutes of Housing and Human Services Commission Meeting of February 25, 2009
- Draft Minutes of the Board of Library Trustees Meeting of March 2, 2009
- Summary of Joint Study Session of March 10, 2009 with Housing and Human Services Commission and Planning Commission on 2009-2014 Housing Sub-Element Update
- Summary of Study Session of March 10, 2009 National League of Cities Congressional City Conference Information
- RTC 09-077 Opportunity for Council to appeal decisions of the Planning Commission of March 9, 2009 and the Administrative Hearing of March 11, 2009
- RTC 09-078 Board and Commission Resignation (Information Only)

ADJOURNMENT

Notice to the Public:

The agenda reports to council (RTC's) may be viewed on the City's Web site at <http://sunnyvale.ca.gov> after 7 p.m. on Thursdays or at the Sunnyvale Public Library, 665 W. Olive Ave. as of Fridays prior to Tuesday City Council meetings. Please contact the Office of the City Clerk at (408) 730-7483 for specific questions regarding the agenda.

PLEASE TAKE NOTICE that if you file a lawsuit challenging any final decision on any public hearing item listed in this agenda, the issues in the lawsuit may be limited to the issues which were raised at the public hearing or presented in writing to the Office of the City Clerk at or before the public hearing. PLEASE TAKE FURTHER NOTICE that Code of Civil Procedure section 1094.6 imposes a 90-day deadline for the filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure 1094.5.

Pursuant to the Americans with Disabilities Act, if you need special assistance in this meeting, please contact the Office of the City Clerk at (408) 730-7483. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (29 CFR 35.104 ADA Title II).

GUIDELINES FOR ADDRESSING THE CITY COUNCIL

Public Announcement – Beginning of Council Meeting

- Three minutes or less per speaker.
- Speakers are requested to give their name (address is optional).
- Recognition of a special achievement.
- Announcement of public event with definite time and date.
- Public events that are of community-wide interest that occur on an annual basis. (only announce one time).

Public Hearing – Order of Hearing as Follows:

- Opening remarks by the applicant (if applicable) are limited to 10 minutes.
- Speakers are requested to give their name (address is optional).
- Speakers are to turn in a speaker card to the city clerk.
- Anyone interested in addressing the Council (may only speak one time).
- Closing remarks by the applicant (if applicable) are limited to 10 minutes.
- Time limit of three minutes per person (may be extended at discretion of mayor). Please make comments brief and be prepared to provide new input.

Public Comments

- Any item relevant to the City of Sunnyvale.
- Speakers are requested to give their name (address is optional).
- Speakers are to turn in a speaker card to the city clerk.
- Items not on the agenda.
- Items that do not fall within the scope of the public announcement section.
- This category is limited to 15 minutes (may be extended or continued after the public hearing/general business section of the agenda at the discretion of the mayor) with a **maximum of three minutes per speaker**. If your subject is **not** on this evening's agenda, you will be recognized at this time; however, the Brown Act (Open Meeting Law) does not allow action by Councilmembers. If you wish to address the Council, please complete a speaker card and give it to the city clerk. Individuals are limited to one appearance during this section.

Planning a presentation for a City Council/Planning Commission meeting?

To assist you in utilizing the technology available in the Council Chambers, the publication "*How to Make Your Council Chambers Presentation More Effective*" may be helpful. Copies are available on the tables located at the back of the Council Chambers prior to scheduled City Council and Planning Commission meetings. You may also pick up a copy at the Office of the City Clerk or visit the City's Web site at <http://sunnyvale.ca.gov>.

Planning to present materials to Council?

If you wish to provide the City Council with copies of your presentation materials, **please provide 12 copies of the materials to the city clerk** (located to the left of the Council dais). The city clerk will distribute your items to the Council.

SCHEDULED COUNCIL MEETINGS

DATE	MEETING	TIME	PLACE
March 24, 2009	Council Meeting	7 p.m.	Council Chambers
March 31, 2009	NO COUNCIL MEETING SCHEDULED		
April 7, 2009	Council Meeting	7 p.m.	Council Chambers
April 14, 2009	NO COUNCIL MEETING SCHEDULED		
April 21, 2009	Council Meeting	7 p.m.	Council Chambers
April 28, 2009	Council Meeting	7 p.m.	Council Chambers
May 5, 2009	Council Meeting	7 p.m.	Council Chambers

OTHER SCHEDULED MEETINGS

March 19, 2009	Bicycle and Pedestrian Advisory Commission	6:30 p.m.	West Conf. Room
March 23, 2009	Planning Commission Study Session	7 p.m.	West Conf. Room
March 23, 2009	Planning Commission Public Hearing	8 p.m.	Council Chambers
March 25, 2009	Administrative Hearing	2 p.m.	West Conf. Room
March 25, 2009	NOVA Workforce Board Meeting	Noon	NOVA Board Room
March 25, 2009	Housing and Human Services Commission	7 p.m.	West Conf. Room
April 1, 2009	Heritage Preservation Commission	7 p.m.	West Conf. Room
April 6, 2009	Board of Library Trustees	7 p.m.	Council Chambers
April 8, 2009	Parks and Recreation Commission	7 p.m.	Council Chambers
April 13, 2009	Planning Commission Study Session	7 p.m.	West Conf. Room
April 13, 2009	Planning Commission Public Hearing	8 p.m.	Council Chambers
April 15, 2009	Arts Commission	7 p.m.	Council Chambers
April 15, 2009	Administrative Hearing	2 p.m.	West Conf. Room
April 16, 2009	Bicycle and Pedestrian Advisory Commission	6:30 p.m.	West Conf. Room
April 20, 2009	Personnel Board	5 p.m.	Council Chambers
April 22, 2009	Housing and Human Services Commission	7 p.m.	West Conf. Room
April 27, 2009	Planning Commission Study Session	7 p.m.	West Conf. Room
April 27, 2009	Planning Commission Public Hearing	8 p.m.	Council Chambers
April 29, 2009	Administrative Hearing	2 p.m.	West Conf. Room
May 20, 2009	Joint Parks and Recreation Commission and Arts Commission Study Session	6 p.m.	West Conf. Room
May 20, 2009	Joint Parks and Recreation Commission and Arts Commission	7 p.m.	Council Chambers
June 10, 2009	Parks and Recreation Commission	7 p.m.	Council Chambers
June 17, 2009	Arts Commission	7 p.m.	Council Chambers

CHANNEL 15 – KSUN

March 24, 2009	City Council Meeting - Live	7 p.m.
March 25, 2009	City Council Meeting - Replay of March 24, 2009	7 p.m.
March 29, 2009	City Council Meeting - Replay of March 24, 2009	4 p.m.
April 7, 2009	City Council Meeting - Live	7 p.m.
April 8, 2009	City Council Meeting - Replay of April 7, 2009	7 p.m.
April 12, 2009	City Council Meeting - Replay of April 7, 2009	4 p.m.
April 21, 2009	City Council Meeting - Live	7 p.m.
April 22, 2009	City Council Meeting - Replay of April 21, 2009	7 p.m.
April 26, 2009	City Council Meeting - Replay of April 21, 2009	4 p.m.
April 28, 2009	City Council Meeting - Live	7 p.m.
April 29, 2009	City Council Meeting - Replay of April 28, 2009	7 p.m.
May 3, 2009	City Council Meeting - Replay of April 28, 2009	4 p.m.
May 5, 2009	City Council Meeting - Live	7 p.m.
May 6, 2009	City Council Meeting - Replay of May 5, 2009	7 p.m.
May 10, 2009	City Council Meeting - Replay of May 5, 2009	4 p.m.